

ZU-388/Div



#3 *Director*  
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of:

Takeshi OHMATSUZAWA, et al.

Serial No.: 10/024,319

Group: 1711

Filed: December 21, 2001

Examiner:

FOR: CATALYST FOR POLYESTER PRODUCTION, PROCESS FOR PRODUCING  
POLYESTER USING THE CATALYST, POLYESTERE OBTAINED BY THE PROCESS,  
AND USES OF THE POLYESTER

Date: February 14, 2002

The Hon. Commissioner of  
Patents and Trademarks  
Washington, D.C. 20231

**SUBMISSION OF SUBSTITUTE ABSTRACT AND RESPONSE TO NOTICE TO FILE  
MISSING PARTS**

Sir:

Responsive to the Notice to File Missing Parts mailed February 5, 2002, Applicants  
herewith submit a revised abstract not exceeding 150 words in length in accordance with 37 CFR  
1.72(b). Applicants respectfully submit that the substitute abstract has been produced by editing  
the abstract originally filed in the subject application and that no new matter has been entered.

The Notice to File Missing Parts, indicates that "the oath or declaration is missing" from  
the application and requires submission of a properly signed oath or declaration together with the  
late fee surcharge of \$130.00

Applicants respectfully point out that the subject application is a divisional of Applicants'  
prior application Serial No. 09/470,664, filed December 22, 1999. As such it is proper to submit

a copy of the executed oath or declaration from the parent application in accordance with 37 CFR 1.63(d). Applicants submitted such a copy with the copy of the parent application specification when the present divisional application was filed and a copy of Applicants' stamped postcard filing receipt showing the USPTO date stamp and evidencing the filing of the copy of the declaration is attached hereto.

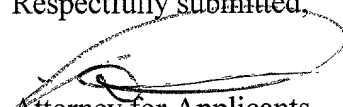
In view of the foregoing, Applicants respectfully submit that the Notice to File Missing Parts has been improperly issued, that a proper oath or declaration was filed with the application and that the identified surcharge is not owed.

Solely for the convenience of the Examiner, Applicants herewith provide a further copy of the executed declaration from the parent application of this divisional.

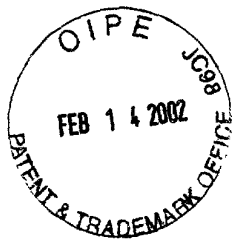
Also attached is the required copy of the Notice to File Missing Parts.

Inasmuch as all filing requirements have been complied with, Applicants respectfully request passage of the subject application to the Examining Group.

Respectfully submitted,

  
Attorney for Applicants  
Robert L. Haines  
Reg. No. 35,533

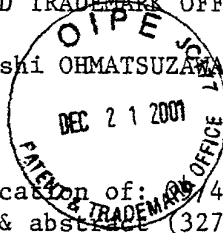
SHERMAN & SHALLOWAY  
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Alexandria, Virginia 22313  
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#3

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of: Takeshi OHMATSUZAWA, et al.  
Serial No.: Unassigned  
Filed: Concurrently



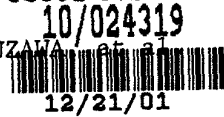
Papers filed: Divisional application of: 09/470,664;  
Copy of specification, claims & abstract (327 pgs)  
Two (2) sheets formal drawings, Copy of executed  
declaration from parent, Copy of recorded assignment  
from parent, Preliminary amendment w/ marked-up copy of  
specification and claims, Transmittal letter (2 copies)  
Check \$3,390.00 (Filing fee \$740, Extra claims \$1,026,  
Extra Independent Claims \$1,344, Mult. Dep Clms. \$280)  
Stamped return postcard.

ZU-388/Div

December 21, 2001

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE U.S. PTO

In re the application of: Takeshi OHMATSUZAWA, et al.  
Serial No.: Unassigned  
Filed: Concurrently,  
For: CATALYST FOR POLYESTER PRODUCTION, PROCESS FOR PRODUCING  
POLYESTER USING THE CATALYST, POLYESTER OBTAINED BY THE  
PROCESS AND USES OF THE POLYESTER.



Papers filed: Divisional application of: 09/470,664, Copy  
of specification, claims & abstract (327 pages), Two (2)  
sheets formal drawings, Copy of executed declaration from  
parent, Copy of recorded assignment from parent, Preliminary  
amendment with Marked-up copy of specification and claims,  
Transmittal letter (2 copies), Check \$3,390.00 (filing fee  
\$740, Extra claims \$1,026, Extra independent claims \$1,344,  
Mult. Dep. Clms. \$280.00) Stamped return postcard.

ZU-388/Div

December 21, 2001



## UNITED STATES PATENT AND TRADEMARK OFFICE

 COMMISSIONER FOR PATENTS  
 UNITED STATES PATENT AND TRADEMARK OFFICE  
 WASHINGTON, D.C. 20231  
 www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/024,319	12/21/2001	Takeshi Ohmatsuzawa	ZU-388/DIV

CONFIRMATION NO. 6751

## FORMALITIES LETTER



\*OC000000007423945\*

 SHERMAN & SHALLOWAY  
 P.O. BOX 788  
 Alexandria, VA 22313

Date Mailed: 02/05/2002

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.  
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 130.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- An Abstract not to exceed 150 words in length, commencing on a separate sheet (37 CFR 1.72(b)).

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE